

OGC Has Reviewed

CENTRAL INTELLIGENCE AGENCY
WASHINGTON 25, D. C.

14 June 1956

Mr. Roger W. Jones
 Assistant Director
 for Legislative Reference
 Bureau of the Budget
 Washington 25, D. C.

Dear Mr. Jones:

The Office of the President's Advisor on Personnel Management has requested that we forward to you the comments of this Agency on a revision, dated 11 June 1956, of a proposed bill cited as the Overseas Health and Medical Services Act of 1954. On 30 April 1956 we sent to you our comments on the 30 March draft of this same bill.

We believe that the objectives of this bill are in substantial conformance with the objectives in the field of medical benefits embodied in the proposed CIA legislation, H.R. 10682 and S. 3851. In view of our special requirements, however, we believe we must continue efforts to secure passage of our own legislation.

Subject to the comments below we would not object to the inclusion in the proposed bill of the repeal of existing CIA authorities in this field.

We note that the current revision authorizes the inclusion of such non-citizens as the President may prescribe. We have been informed by the Office of the President's Advisor that the intention of this revision is to make the bill applicable to CIA alien employees, who are covered in our own pending legislation. However, the sectional analysis of the bill indicates that the purpose of including non-citizens is "to permit agencies such as the Central Intelligence Agency which recruits non-citizen employees in this country or in the territories and possessions for service abroad to afford these employees the same benefits as are given to U. S. citizens." While this reference is not necessarily controlling, we feel it more appropriate that it be

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indicated that recruiting does occur in foreign areas as well as in the territories and possessions or in this country. This could be accomplished by adding the words "or foreign areas" after the words "territories and possessions" in the above language.

The definition of "overseas employee" in section 3.f. when read in conjunction with the term as used elsewhere could possibly give rise to a question of interpretation. We are concerned with the possible problem of employees who are returned to the United States and then have recurrence of an illness or injury which was in fact incurred abroad. A solution to this problem might be the deletion of the word "overseas" from section 8.a. Alternatively, the legislative intent could be made clear by explanation in the sectional analysis.

Section 8.b. creates the most serious problem for this Agency. It could result in requiring dependents to pay substantial hospital and medical costs for a prolonged illness or injury. In our view, where a possible prolonged illness or injury is determined to have resulted solely from location at a particular post abroad, no costs should be assessed to the employee or to the dependent. This would be provided for under the proposed CIA legislation and we believe it fulfills an equitable and desirable purpose. An example of this situation could be the wife of an employee who is seriously injured as a result of rioting or civil disturbance at the post of assignment. Under these circumstances the proposed bill would require the employee to incur substantial expenses for dependents if the injury required a long period of hospitalization.

As mentioned in our letter of 30 April 1956, we feel the creation by the proposed bill of an Overseas Medical Board to assist in the administration of the law could possibly result in a conflict with Agency security requirements. It is our assumption, however, that such difficulties could be taken into account and resolved on an administrative basis.

The problems and administrative procedures of the Agency in this field being much the same as those of the Department of State, we think that our authorities ought to remain identical with those of that Department. Accordingly, while we have no objection to inclusion of this Agency in the Overseas Medical bill, we would request an exception from it and a continuation of the use of our own authorities,

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Approved For Release 2002/10/21 : CIA-RDP78-04718A002000310026-9

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